



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or a first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HYPERSENSITIVE RESPONSE ELICITOR FROM *ERWINIA AMYLOVORA*, ITS USE, AND ENCODING GENE**

the specification of which (check only one item below):

- ☐ is attached hereto.
- ☒ was filed as U.S. Patent Application Serial No. 09/120,663 on July 22, 1998 and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).
- ☐ was filed as PCT International Application No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (IF PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
United States	60/055,106	06-AUG-1997	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

U.S. APPLICATIONS		STATUS (Check One)			
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)			

19603/1661 (CRF D-2098A)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **Michael L. Goldman, Registration No. 30,727; Gunnar G. Leinberg, Registration No. 35,584; Dennis M. Connolly, Registration No. 40,964; Edwin V. Merkel, Registration No. 40,087; Georgia Caton, Registration No. 44,597; Grant E. Pollack, Registration No. 34,097**

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**Nixon Peabody LLP**  
**Clinton Square, P.O. Box 1051**  
**Rochester, New York 14603**

Direct Telephone Calls to:  
(name and telephone number)  
**Michael L. Goldman**  
**(716) 263-1304**

201	FULL NAME OF INVENTOR	FAMILY NAME <b>Bogdanove</b>	FIRST GIVEN NAME <b>Adam</b>	SECOND GIVEN NAME <b>J.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Ithaca</b>	STATE/FOREIGN COUNTRY <b>New York</b>	COUNTRY OF CITIZENSHIP <b>United States</b>
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202	FULL NAME OF INVENTOR	FAMILY NAME <b>Kim</b>	FIRST GIVEN NAME <b>Jihyun</b>	SECOND GIVEN NAME <b>Francis</b>
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203	FULL NAME OF INVENTOR	FAMILY NAME <b>Wei</b>	FIRST GIVEN NAME <b>Zhong-Min</b>	SECOND GIVEN NAME
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204	FULL NAME OF INVENTOR	FAMILY NAME <b>Beer</b>	FIRST GIVEN NAME <b>Steven</b>	SECOND GIVEN NAME <b>V.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Ithaca</b>	STATE/FOREIGN COUNTRY <b>New York</b>	COUNTRY OF CITIZENSHIP <b>United States</b>
	POST OFFICE ADDRESS	P.O. ADDRESS <b>211 Hudson Street</b>	CITY <b>Ithaca</b>	STATE & ZIP CODE/CTRY <b>New York 14850/USA</b>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

DATE

SIGNATURE OF INVENTOR 202

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SIGNATURE OF INVENTOR 203

DATE

SIGNATURE OF INVENTOR 204

DATE

SIGNATURE OF INVENTOR 205

DATE

SIGNATURE OF INVENTOR 206

DATE

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39603/1661 (CRF D-2098A)

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201	FULL NAME OF INVENTOR	FAMILY NAME Bogdanove	FIRST GIVEN NAME Adam	SECOND GIVEN NAME J.
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States
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202	FULL NAME OF INVENTOR	FAMILY NAME Kim	FIRST GIVEN NAME Jihyun	SECOND GIVEN NAME Francis
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP Republic of Korea
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203	FULL NAME OF INVENTOR	FAMILY NAME Wei	FIRST GIVEN NAME Zhong-Min	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Kirkland	STATE/FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP United States
	POST OFFICE ADDRESS	P.O. ADDRESS 8230 125 <sup>th</sup> Court	CITY Kirkland	STATE & ZIP CODE/CTRY Washinton 98034/USA
204	FULL NAME OF INVENTOR	FAMILY NAME Beer	FIRST GIVEN NAME Steven	SECOND GIVEN NAME V.
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States
	POST OFFICE ADDRESS	P.O. ADDRESS 211 Hudson Street	CITY Ithaca	STATE & ZIP CODE/CTRY New York 14850/USA

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SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203 <i>X Chujin Wei</i>
DATE	DATE	DATE <i>X 4/28/2000</i>
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE